



INSTITUTE FOR CONSTITUTIONAL ADVOCACY AND PROTECTION  
GEORGETOWN UNIVERSITY LAW CENTER

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**Via ECF and FedEx**

The Honorable P. Kevin Castel  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

**Re: *Ragbir, et al. v. Homan, et al.*, No. 18-cv-1159 (PKC)**

Dear Judge Castel,

*Amici* the Institute for Constitutional Advocacy and Protection at Georgetown University Law Center and the Knight First Amendment Institute at Columbia University respectfully seek the Court's permission to file the attached *amici curiae* brief (Ex. A) in support of plaintiffs' motion for a preliminary injunction (Doc. No. 11). Both Institutes are non-partisan, not-for-profit organizations that seek to defend the rights guaranteed by the United States Constitution. Both Institutes have expertise in the First Amendment, and a strong interest in the constitutional questions presented in this case.

"District courts have broad discretion to permit or deny the appearance of *amici curiae* in a given case." *United States v. Ahmed*, 788 F.Supp. 196, 198 n.1 (S.D.N.Y. 1992), *aff'd* 980 F.2d 161 (2d Cir. 1992). "An *amicus* brief should normally be allowed . . . when the *amicus* has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide." *Citizens Against Casino Gambling in Erie County v. Kempthorne*, 471 F.Supp.2d 295, 311 (W.D.N.Y. 207) (quoting *Ryan v. Commodity Futures Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir. 1997)) (citations omitted).

In this case, Defendants argue that the reasoning in *Reno v. American-Arab Anti-Discrimination Committee*, 525 U.S. 471 (1999), should be expanded to foreclose Mr. Ragbir's retaliation claims. Doing so would severely curtail First Amendment protections for thousands of residents of the United States. As *amici* argue in the attached brief, the government's reliance

on *AADC* is misplaced. Amici respectfully request the Court permit this filing so that they may fully brief the Court on this important constitutional issue.

Plaintiffs' counsel consent to the filing of the attached brief. Defendants' counsel take no position on the filing of the brief.

Respectfully submitted,

/s/ Amy L. Marshak

Encl.

Cc: Counsel for all parties, by ECF